

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

UNITED STATES OF AMERICA : CASE NO. 3:12-CR-132

Plaintiff :

vs. : **Judge Timothy S. Black**

BRIAN ROHRBACK :

Defendant :

**DEFENDANT ROHRBACK'S MOTION TO CONTINUE CURRENT
CALENDAR ORDER**

Now comes the Defendant, **BRIAN ROHRBACK**, through his attorney, **Nicholas G. Gounaris**, and respectfully moves this court for a continuance and rescheduling of the current calendar order issued October 30, 2012.

A memorandum in support is attached hereto.

Respectfully submitted,

/s Nicholas G. Gounaris

NICHOLAS G. GOUNARIS (0064527)

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MEMORANDUM

On October 30, 2012, the court held a telephone conference with all parties and then issued a calendar order setting dates for discovery cut-off, motion filing deadline and other important events. Since the telephone conference, the United States has provided discovery to undersigned counsel under cover letter dated November 1, 2012. There remains additional discovery, which by its nature, is only able to be shared/viewed with defense counsel at the US Attorney's Office. Undersigned counsel and AUSA Muncy have agreed to meet on Tuesday November 20, 2012, at the United States Attorney's Office in Dayton, Ohio for the purpose of allowing undersigned counsel an opportunity to review the aforementioned discovery.

A motion-filing deadline of November 16, 2012 has been calendared along with other events. However, as the discovery review and evaluation process is still underway, it is respectfully requested that a continuance and rescheduling of the court's previously issued calendar order be granted. The parties are next scheduled for a telephone conference on November 13, 2012 at 10:30A.M.

s/Nicholas G. Gounaris
NICHOLAS G. GOUNARIS

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served upon all parties by electronic filing through the office of the clerk.

s/Nicholas G. Gounaris
NICHOLAS G. GOUNARIS